IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5390 OF 2005

Nurudin Badruddin Ajani & Ors. ...Applicants
vs.
State of Maharashtra ...Respondent

Mr.G.I.Sodhi for the Applicants
Mr.K.V.Saste, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 23,2005

P.C.:

1. An offence has been registered against the Applicants at Lonavala City Police Station, Pune under Sections 406, 409 read with Section 34 of the Indian Penal Code. The Applicants have not approached the concerned Sessions Court by filing an application for anticipatory bail. The learned Advocate for the Applicants has tendered on record an Affidavit of Applicant No.2 setting out the reasons for not approaching the Sessions Court. The reason given is that there is an apprehension that if the Applicants undertake travelling from Mumbai to Pune they will be arrested.

2. The learned Advocate for the Applicants pointed out that 50% of the dues have been deposited by the Applicants in the office of the Regional Provident Fund Commissioner. Considering the averments made in the application and the averments made in the Affidavit tendered today, the Applicants

deserve to be granted limited protection to enable them to approach the appropriate Court. Hence, the application is disposed of by passing the following order :

3. The Applicants shall not be arrested in connection with C.R.No.115 of 2005 registered at Lonavala City Police Station, District Pune for a period of one week from today subject to condition of complying with the conditions incorporated in clause (i) to (iii) of Sub Section 2 of Section 438 of the Code of Criminal Procedure, 1973.

4. Within a period of one week from today the Applicants will be free to make an application to the appropriate Court for grant of anticipatory bail. If such application is made, the concerned Court will decide the same on its own merits without being influenced by grant of limited protection by this Court.

5. Parties to act upon an authenticated copy of this order.

JUDGE